

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v

No. 19-CR-20026

PREM KUMAR RAMPEESA,

Defendant.

PLEA HEARING

BEFORE THE HONORABLE GERSHWIN A. DRAIN
UNITED STATES DISTRICT JUDGE
Theodore Levin United States Courthouse
231 West Lafayette Boulevard
Detroit, Michigan
Monday, June 3, 2019

APPEARANCES:

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MR. TIMOTHY P. MCDONALD
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None

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None

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EXHIBITS:IdentifiedReceived

None

1 Detroit, Michigan

2 Monday, June 3, 2019 - 11:15 a.m.

3 THE CASE MANAGER: All rise. The United States
4 District Court for the Eastern District of Michigan is now in
5 session. The Honorable Gershwin A. Drain presiding.

6 You may be seated.

7 The Court calls the criminal matter United States
8 of America versus Prem Kumar Rampeesa. Case number
9 19-cr-20026-4.

10 Counsel, please state your appearances for the
11 record.

12 MR. HELMS: Good morning, your Honor. Brandon
13 Helms on behalf of the United States, and with me are Ronald
14 Waterstreet and Tim McDonald from my office.

15 THE COURT: All right. Good morning.

16 MR. WATERSTREET: Good morning.

17 MR. MCDONALD: Good morning.

18 MS. CAL: Good morning, your Honor. Wanda Cal on
19 behalf of Prem Rampeesa.

20 THE COURT: All right. Good morning, Ms. Cal.

21 All right. We have an interpreter and I'm going
22 to have my case manager administer the interpreter's oath.

23 THE CASE MANAGER: Do you solemnly swear that you
24 will translate the oath and such questions as shall be put to
25 this defendant from the English language to the Telegu language

1 and his answers from the Telegu language to the English
2 language to the business of your ability?

3 THE INTERPRETER: I do.

4 (At 11:16 a.m., Aparanji Balabhadrapatruni sworn by the
5 case manager to interpret English into Telegu and
6 Telegu into English)

7 THE CASE MANAGER: Please state your full name for
8 the record.

9 THE INTERPRETER: My full name is Aparanji
10 Balabhadrapatruni.

11 THE COURT: All right. Why don't I have Ms. Cal,
12 the defendant, and the interpreter approach the podium.

13 All right. Ms. Cal, as I understand it, the
14 defendant wants to tender a plea of guilty to the charge
15 contained in the indictment; is that correct?

16 MS. CAL: Yes, your Honor.

17 THE COURT: Okay. And as I understand it, there's
18 no Rule 11 Plea Agreement that has been entered into in this
19 case.

20 MR. HELMS: Yes, your Honor. A Rule 11 had been
21 offered by it was rejected.

22 THE COURT: Okay.

23 MS. CAL: Yes.

24 THE COURT: Okay. All right. Then, Mr. Rampeesa,
25 I'm going to be asking you a number of questions, and if at any

1 point in time you have any questions about what I ask you, stop
2 me and let me know, you understand that?

3 THE DEFENDANT: Yes.

4 THE COURT: Okay. All right. I'm going to first
5 have my case manager administer an oath to you.

6 THE CASE MANAGER: Raise your right hand, please.
7 Do you solemnly swear or affirm that the testimony you're about
8 to give to the Court in this matter here pending shall be the
9 truth, the whole truth, and nothing but the truth?

10 THE DEFENDANT: Yes.

11 P R E M K U M A R R A M P E E S A,
12 Called at 11:18 a.m., sworn through the interpreter

13 THE COURT: Okay. Please state your full name for
14 the record.

15 THE DEFENDANT: Prem Kumar Rampeesa.

16 THE COURT: Okay. All right. Mr. Rampeesa, do
17 you understand that you are now under oath --

18 THE DEFENDANT: Yes.

19 THE COURT: -- and if you answer any of my
20 questions falsely, your answers may later be used against you
21 in a separate prosecution for perjury or false statement; do
22 you understand that?

23 THE DEFENDANT: Yes.

24 THE COURT: Okay. And so, give us your full name
25 again?

1 THE DEFENDANT: Prem Kumar Rampeesa.

2 THE COURT: Okay. And how old are you?

3 THE DEFENDANT: Twenty-seven.

4 THE COURT: And how far did you go in school?

5 THE DEFENDANT: Master's.

6 THE COURT: Okay.

7 THE DEFENDANT: Master's in computer science.

8 THE COURT: Okay. All right. And so, have you
9 been treated recently for any type of mental illness or
10 addiction to narcotics or alcohol?

11 THE DEFENDANT: No.

12 THE COURT: Okay. And are you currently under the
13 influence of any drugs, medication, or alcoholic beverage?

14 THE DEFENDANT: No.

15 THE COURT: Okay. And have you received a copy of
16 the indictment that charges you with a crime?

17 THE DEFENDANT: Yes. I have it with me.

18 THE COURT: Okay. And have you talked to Ms. Cal
19 about the charges?

20 THE DEFENDANT: Yes.

21 THE COURT: And has she been able to answer any
22 questions you have about the charges?

23 THE DEFENDANT: Yes, she did.

24 THE COURT: And are you satisfied with the advice
25 and counsel you've received from her up to this point?

1 THE DEFENDANT: Yes.

2 THE COURT: And have there been any promises made
3 to you with regard to entering this plea of guilty?

4 THE DEFENDANT: No.

5 THE COURT: Has anyone forced you to enter this
6 plea of guilty?

7 THE DEFENDANT: No.

8 THE COURT: Has anyone threatened you in any way
9 to persuade you to plead guilty?

10 THE DEFENDANT: No. No one has threatened me.

11 THE COURT: Okay. And so, Mr. Rampeesa, do you
12 understand that the maximum sentence the Court could impose
13 would be a sentence of up to five years' imprisonment?

14 THE DEFENDANT: Yes, I understood.

15 THE COURT: And do you understand that the maximum
16 fine I could impose is a fine of up to \$250,000?

17 THE DEFENDANT: Yes, I understood.

18 THE COURT: And do you also understand that the
19 Court could impose a period of up to three years on supervised
20 release?

21 THE DEFENDANT: All right.

22 THE COURT: And so, are you pleading guilty freely
23 and voluntarily?

24 THE DEFENDANT: Yes.

25 THE COURT: And are you pleading guilty because

1 you are guilty?

2 THE DEFENDANT: Yes.

3 THE COURT: Okay. And so, as I understand it, you
4 are a citizen of the country of India; is that correct?

5 THE DEFENDANT: Yes.

6 THE COURT: And you are not a citizen of the
7 United States, is that true?

8 THE DEFENDANT: I don't have it here.

9 THE COURT: And so, do you understand that this
10 felony conviction can affect your right to become a citizen or
11 enter the country?

12 THE DEFENDANT: Okay. I understood.

13 THE COURT: And more than likely you're going to
14 be deported at the end of this case; do you understand that?

15 THE DEFENDANT: I understood.

16 THE COURT: Okay. And do you have any prior
17 felony convictions?

18 THE DEFENDANT: Nothing like that.

19 THE COURT: Okay. Do you understand that there
20 are certain additional consequences to having a felony
21 conviction?

22 THE DEFENDANT: Yes.

23 THE COURT: For example, you can't hold certain
24 offices.

25 You can't possess a firearm.

1 You can't get certain licenses, and that there are
2 a lot of different consequences to having a felony conviction;
3 do you understand that?

4 THE INTERPRETER: Can you, sir, please, speak a
5 little slower for me.

6 THE COURT: Did you get the last thing I asked?

7 THE DEFENDANT: Yes, I understand.

8 THE COURT: Okay.

9 And so, do you have any other cases pending?

10 THE DEFENDANT: None.

11 THE COURT: And I'm also required to impose a
12 special assessment of \$100.

13 THE INTERPRETER: I would -- interpreter needs
14 clarification.

15 THE COURT: Okay.

16 THE INTERPRETER: "Special assessment" is that a
17 fine?

18 THE COURT: It's like a fine, but it's not
19 technically a fine. But it's something that he has to pay as a
20 result of the case.

21 THE INTERPRETER: Thank you.

22 THE COURT: Okay.

23 THE DEFENDANT: I'm to pay it?

24 THE COURT: Yes. He has to pay.

25 THE DEFENDANT: Yes, I will pay.

1 THE COURT: Okay. And in a few months I will be
2 sentencing him on the case.

3 THE DEFENDANT: Yes, I understand.

4 THE COURT: Okay. And have counsel computed
5 sentencing guidelines on the case?

6 MR. HELMS: Yes. The government has, your Honor.

7 THE COURT: Or at least roughly?

8 MR. HELMS: Yeah. We believe the guidelines are
9 33 to 41 months.

10 THE COURT: Okay. Ms. Cal, have you done any
11 calculation?

12 MS. CAL: I did not, your Honor.

13 THE COURT: Okay.

14 MS. CAL: I reviewed the government's calculation.
15 They seemed to be approximately correct.

16 THE COURT: Okay.

17 MS. CAL: But I didn't specifically do it.

18 THE COURT: Okay. All right.

19 So, Mr. Rampeesa, the sentencing guidelines are
20 one thing that I look at; do you understand that?

21 THE DEFENDANT: Yes, I understand.

22 THE COURT: And they're somewhere within the range
23 of --

24 Did you say 33 to 41 months?

25 MR. HELMS: Yes, your Honor.

1 THE COURT: Yeah. They're somewhere in the range
2 of 33 to 41 months.

3 THE DEFENDANT: All right.

4 THE COURT: Okay. And so, I'll also have an
5 extensive presentence report about your background and your
6 history.

7 THE DEFENDANT: All right. I understand.

8 THE COURT: Okay. And there are some other things
9 I have to look at in terms of deciding what sentence to impose.

10 THE DEFENDANT: All right.

11 THE COURT: Okay. And so, I know that Ms. Cal has
12 talked to you about your rights that you have to a trial; do
13 you understand that?

14 THE DEFENDANT: All right. Okay.

15 THE COURT: Do you understand you could have a
16 trial on your case instead of pleading guilty?

17 THE DEFENDANT: So this is a pretrial and after
18 this there's a sentencing?

19 THE COURT: This is a plea, and after that there's
20 a sentencing.

21 THE DEFENDANT: All right. I understand.

22 THE COURT: Okay.

23 And so, do you understand that you could have a
24 trial on your case either by jury or by judge?

25 THE DEFENDANT: Yes, I understand.

1 THE COURT: And you would have the right to be
2 presumed innocent on the case.

3 THE DEFENDANT: Okay.

4 THE COURT: And you could also -- well, I should
5 say, the government would have to prove you guilty beyond a
6 reasonable doubt at a trial.

7 THE DEFENDANT: Okay.

8 THE COURT: Okay. And so, at a trial if you --
9 Ms. Cal could represent you throughout the entire trial; do you
10 understand that?

11 THE DEFENDANT: Yes, I understand.

12 THE COURT: Also, at a trial the government would
13 have to bring in witnesses to testify against you.

14 THE DEFENDANT: I understand.

15 THE COURT: And Ms. Cal could question and
16 cross-examine the witnesses.

17 THE DEFENDANT: I understand.

18 THE COURT: And you could testify at a trial if
19 you wanted to.

20 THE DEFENDANT: Can I speak?

21 THE COURT: Yes.

22 Does he understand that?

23 THE DEFENDANT: That was during the trial. Can I
24 speak during the trial?

25 THE COURT: Yes. Yes, he can speak. He can

1 testify.

2 THE DEFENDANT: I understand.

3 THE COURT: Okay. Or he wouldn't have to testify
4 if he didn't want to.

5 THE DEFENDANT: Okay. I understand.

6 THE COURT: And if he decided not to testify, it
7 couldn't be used against him in any way.

8 THE DEFENDANT: All right. Okay.

9 THE COURT: All right. Lastly, as far as his
10 rights go, if he wanted to call witnesses, I would help him
11 bring in witnesses with subpoenas.

12 THE DEFENDANT: Okay.

13 THE COURT: Okay.

14 So, is it clear that by pleading guilty he gives
15 up all of these rights?

16 THE DEFENDANT: Okay. I understand.

17 THE COURT: And there will be no trial on his
18 case.

19 THE DEFENDANT: Okay. I understand.

20 THE COURT: Okay. All right. Then, the charge in
21 this case charges conspiracy to commit visa fraud and harbor
22 aliens for profit.

23 THE DEFENDANT: Okay. I understand.

24 THE COURT: And I'm required to find out some of
25 the facts of the case; do you understand is that?

1 THE DEFENDANT: Yes, I understand.

2 THE COURT: And I'm going to allow the prosecutor,
3 or the government in the case to ask him questions about his
4 involvement.

5 THE DEFENDANT: All right.

6 THE COURT: And Ms. Cal can ask questions if she
7 needs to.

8 THE DEFENDANT: All right.

9 THE COURT: Okay. Mr. Helms, I'm going to allow
10 you to proceed by inquiry here.

11 MR. HELMS: Thank you, your Honor.

12 Mr. Rampeesa, as you noted earlier, you're not a
13 citizen of the United States, correct?

14 THE DEFENDANT: Yes.

15 MR. HELMS: You're not a citizen of the United
16 States?

17 THE DEFENDANT: No.

18 MR. HELMS: You're from India?

19 THE DEFENDANT: Yes.

20 MR. HELMS: And you entered the United States in
21 May 2015?

22 THE DEFENDANT: Yes.

23 MR. HELMS: And when you entered the United
24 States, you came on an F-1 student visa?

25 THE DEFENDANT: Yes.

1 MR. HELMS: To attend Northwestern Polytechnic
2 University?

3 THE DEFENDANT: Yes.

4 MR. HELMS: And you knew that as a foreign student
5 on an F-1 visa that your status is only valid if you're
6 enrolled as a full-time student?

7 THE DEFENDANT: Yes.

8 MR. HELMS: And you also knew for your status to
9 be valid that you had to be making progress toward the
10 completion of your degree?

11 THE INTERPRETER: Could you break up the
12 sentence, sir?

13 MR. HELMS: You also knew for your status to be
14 valid that you needed to continue working toward completion of
15 your degree?

16 THE DEFENDANT: Yes.

17 MR. HELMS: And are you familiar with something
18 called a Form I-20?

19 THE DEFENDANT: The one we first come to school at
20 admission that's what they gave us, right? That's what they
21 gave us I-20.

22 MR. HELMS: Yes. So you've heard of a Form I-20?

23 THE DEFENDANT: Yes.

24 MR. HELMS: For instance, it allows you to apply
25 for an F-1 student visa?

1 THE DEFENDANT: Yes. First they gave me the I-20.
2 I used it to apply for a visa and I got a slot. I got -- then
3 I came, they approved it and I came here.

4 MR. HELMS: And you know that form is proof of
5 your legal and academic status in the United States?

6 THE DEFENDANT: Yes. Yes.

7 MR. HELMS: And that form can also be used to
8 reenter the United States if you were to travel abroad?

9 THE DEFENDANT: After coming here I never went
10 anywhere.

11 MR. HELMS: Okay.

12 Did you understand if you were to leave you could
13 come back using the Form I-20?

14 THE DEFENDANT: Yes.

15 MR. HELMS: The Form I-20 also allows you to
16 participate in practical training?

17 THE DEFENDANT: Okay.

18 MR. HELMS: And you also receive a Form I-20 when
19 you transfer schools, correct?

20 THE DEFENDANT: Yes.

21 MR. HELMS: Do you remember first contacting the
22 University of Farmington around September 2017?

23 THE DEFENDANT: I didn't call. A man name Santosh
24 got me the admission.

25 MR. HELMS: But you remember sending an e-mail to

1 the University of Farmington on or around September 14th, 2017?

2 THE DEFENDANT: Yes.

3 MR. HELMS: And you said you were referred by
4 Santosh Sama?

5 THE DEFENDANT: Yes.

6 MR. HELMS: And you also sent a completed
7 application to the University of Farmington?

8 THE DEFENDANT: Yes.

9 MR. HELMS: And do you remember in December 2017
10 that you e-mailed the university in response to a billing
11 invoice?

12 THE DEFENDANT: Yes.

13 MR. HELMS: And you said that you had paid \$1500
14 to Santosh Sama and for the university to check with him?

15 THE INTERPRETER: Can you repeat that?

16 MR. HELMS: I'll break it up.

17 You said you had paid Santosh Sama \$1500?

18 THE DEFENDANT: Yes.

19 MR. HELMS: And you asked the university to check
20 with Mr. Sama?

21 THE DEFENDANT: Yes.

22 MR. HELMS: And do you remember calling the
23 University of Farmington on October 2nd, 2018?

24 THE DEFENDANT: Yes.

25 MR. HELMS: Do you remember telling them that you

1 were working with Santosh Sama?

2 THE DEFENDANT: Yes.

3 MR. HELMS: And did you remember confirming with a
4 University of Farmington employee that going to school there
5 was just about maintaining status?

6 THE DEFENDANT: Yes.

7 MR. HELMS: And that you were not going to any
8 classes?

9 THE DEFENDANT: Yes.

10 MR. HELMS: And you told the university employee
11 that Santosh gave you \$200 per student you recruited?

12 THE DEFENDANT: Yes. They gave me \$200.

13 MR. HELMS: And you didn't receive \$200 in cash,
14 you would receive credits to your tuition at the University of
15 Farmington?

16 THE DEFENDANT: Yes. Yes. They haven't given me
17 any money, they just decreased the fees.

18 MR. HELMS: And do you remember saying in October
19 2018 that at the time you had recruited between 50 to 70
20 students?

21 THE INTERPRETER: 50 to?

22 MR. HELMS: 70.

23 THE DEFENDANT: I didn't recruit that many.

24 MR. HELMS: You don't recall saying that on the
25 phone?

1 THE DEFENDANT: I -- I gave, I referred the people
2 who wanted to come to the school to Santosh. I never got any
3 cash. He waived 6,000 fee, and not more nor less than that. I
4 didn't get anything less than that.

5 MR. HELMS: We might revisit that. I'll move on
6 at this point.

7 You don't deny that you recruited students for the
8 university?

9 THE DEFENDANT: Yes.

10 MR. HELMS: And when you recruited students, you
11 told them the university did not have classes?

12 THE INTERPRETER: He said he didn't understand, so
13 I'm repeating.

14 THE DEFENDANT: Yes.

15 MR. HELMS: And you also told them that the
16 university was just for maintaining status?

17 THE DEFENDANT: Yes.

18 MR. HELMS: Okay. When you had recruited a
19 student, how did you let Mr. Sama know you had recruited that
20 student?

21 THE DEFENDANT: Phone.

22 MR. HELMS: Phone.

23 You would call him?

24 THE DEFENDANT: He was in California. I live in
25 California. We both live within two, three mile distance.

1 MR. HELMS: Does that mean you called him to tell
2 him about a student you recruited?

3 THE INTERPRETER: I'm asking him to slow down.

4 THE DEFENDANT: If the student wanted an
5 admission, they came to me. I didn't know anybody in the
6 school. So, I gave Santosh's number to them and they talked to
7 him. The two of them talked. They talked about the process
8 and how it is.

9 MR. HELMS: Did you have an understanding as to
10 what Mr. Sama would do at that point after talking to the
11 student?

12 THE DEFENDANT: He got them admission when they
13 said they needed an admission.

14 MR. HELMS: So, after Mr. Sama had talked to a
15 student you recruited, Mr. Sama would contact the university?

16 THE DEFENDANT: Yes.

17 MR. HELMS: And I want to show you a copy of
18 something. This is a ledger that Mr. Sama provided. You may
19 not have seen this before.

20 Have you seen this before?

21 THE DEFENDANT: No, I don't know this. You want
22 me to look at it?

23 MR. HELMS: If you could, turn to a page that has
24 February at the top. On this page, number five is a name
25 there. Do you see that?

1 THE DEFENDANT: Okay.

2 MR. HELMS: Could you read the name of that
3 person?

4 THE DEFENDANT: Sai Pavan --

5 THE COURT REPORTER: I'm sorry. I'm not hearing
6 him.

7 MR. HELMS: Could you say it in the microphone.

8 THE DEFENDANT: Sai Pavan Reddy Edla.

9 THE COURT REPORTER: Could you spell it, please.

10 MS. CAL: Yeah. S-A-I P-A-R-- P-A-V-A-N R-E-D-D-Y
11 E-D-L-A.

12 MR. HELMS: And, Mr. Rampeesa, next to that name
13 is a "P" circled; do you see that?

14 THE DEFENDANT: Yes.

15 MR. HELMS: Do you recognize this as a student
16 that you referred to Mr. Sama?

17 THE DEFENDANT: Might be. I don't know clearly.
18 Sometimes the one student ask me I would give him Santosh's
19 number and they would talk and after that I don't know what
20 happened. I don't know if they joined. People who wanted,
21 they took it. And people who didn't, I don't know correctly
22 what happened between them.

23 MR. HELMS: Do you recognize this person listed at
24 number five as a person who came to you, first?

25 THE DEFENDANT: Yes.

1 MR. HELMS: And then same question with Line 28.
2 There's a name Anil, A-N-I-L, Kumar, K-U-M-A-R, Aparadi,
3 A-P-A-R-A-D-I, do you see that?

4 I'm sorry. Line 26. Line 26.

5 THE DEFENDANT: I remember.

6 MR. HELMS: I did spell it. Is this -- I said the
7 number wrong. Line 26.

8 Is this a student that you recall him coming to
9 you first?

10 THE DEFENDANT: Yes.

11 MR. HELMS: And then Line 28, Vamshi Krishna
12 Reddy.

13 And I believe the court reporter has the name
14 listed there.

15 THE DEFENDANT: Yes.

16 MR. HELMS: Is this a person that came to you,
17 first?

18 THE DEFENDANT: Yes.

19 MR. HELMS: And then if we turn a few more pages.

20 Mr. Rampeesa, at the top of this page the name
21 "Prem" is written; do you see that?

22 THE DEFENDANT: Yes.

23 MR. HELMS: Do you believe this refers to you?

24 THE DEFENDANT: The name?

25 MR. HELMS: Yes.

1 THE DEFENDANT: Yes.

2 MR. HELMS: And then the students listed
3 underneath your name, do you recognize these as students who
4 came to you first?

5 THE DEFENDANT: Can I read it?

6 MR. HELMS: Yeah. Sure.

7 THE DEFENDANT: Even this?

8 MR. HELMS: Yes.

9 And you can just tell me in general. Do you
10 recognize these names as people that came to you?

11 THE DEFENDANT: Yes, I remember. I recognize.

12 MR. HELMS: Mr. Rampeesa, when you transferred to
13 the University of Farmington in October 2017, you knew that
14 they did not have classes, right?

15 THE DEFENDANT: Yes.

16 MR. HELMS: And you never intended to go to class
17 at University of Farmington?

18 THE DEFENDANT: No.

19 MR. HELMS: And you never intended to move to
20 Michigan to take classes there?

21 THE DEFENDANT: No, I didn't come?

22 MR. HELMS: And while you were with the
23 university, you never went to class?

24 THE DEFENDANT: No, I didn't.

25 MR. HELMS: You worked through your friend Sama to

1 recruit students for the University of Farmington?

2 THE DEFENDANT: Yes. Yes. Through Santosh.

3 MR. HELMS: And in return for recruiting students
4 you received credits off your tuition?

5 THE DEFENDANT: Yes.

6 MR. HELMS: And you understand that you are
7 pleading guilty to conspiracy to harbor aliens for profit and
8 to commit visa fraud?

9 THE DEFENDANT: Yes.

10 MR. HELMS: So you agreed with another person or
11 persons to, one, conceal or harbor an alien who remained in the
12 United States in violation of law?

13 MS. CAL: You want to break that down for her.
14 Can you break that down?

15 MR. HELMS: You agreed with another person or
16 persons to conceal or harbor an alien who remained in the
17 United States in violation of the law?

18 THE DEFENDANT: I understand.

19 MR. HELMS: And those aliens were the students
20 that you recruited?

21 THE DEFENDANT: Yes.

22 MR. HELMS: Who weren't going to classes?

23 THE DEFENDANT: Yes. They weren't going to
24 classes.

25 MR. HELMS: And you knew that those aliens were

1 remaining in the United States in violation of law?

2 THE DEFENDANT: Yes.

3 MR. HELMS: And you committed this offense for
4 private financial gain, which was to receive credits off your
5 tuition?

6 THE DEFENDANT: Yes.

7 MR. HELMS: And you also agreed with another
8 person to knowingly possess, obtain, accept, or receive an
9 I-20 --

10 THE INTERPRETER: Possess, obtain?

11 MR. HELMS: Accept or receive.

12 THE DEFENDANT: Yes.

13 MR. HELMS: -- or to cause another person to
14 possess obtain or receive an I-20?

15 THE DEFENDANT: Yes.

16 MR. HELMS: And that document is evidence of an
17 authorized stay?

18 THE DEFENDANT: Yes.

19 MR. HELMS: And you knew that that I-20 for you
20 and for the other students was obtained by fraud?

21 THE DEFENDANT: Yes.

22 MR. HELMS: And you knowingly --

23 THE COURT: It sounds like we're getting a little
24 repetitious here.

25 MR. HELMS: This is the elements, your Honor. I'm

1 very close to finishing.

2 THE COURT: All right.

3 MR. HELMS: You knowingly and voluntarily joined
4 this conspiracy?

5 THE DEFENDANT: Yes.

6 MR. HELMS: And you or another member of the
7 conspiracy did at least one of the overt acts described in the
8 indictment?

9 THE DEFENDANT: Yes.

10 MR. HELMS: And I'm going to read one of those
11 overt acts:

12 On or about October 2nd, 2018 you telephoned an
13 HSI undercover agent, the University of Farmington employee,
14 regarding enrolling in the university in a "pay to stay"
15 scheme.

16 THE DEFENDANT: Okay.

17 MR. HELMS: And you also in January of 2019 you
18 came to the University of Farmington --

19 THE DEFENDANT: Yeah. They invited me.

20 MR. HELMS: -- and you came to discuss the school
21 and efforts to recruit students?

22 THE DEFENDANT: What they told me, I wasn't here,
23 they said we'll book your flight and we'll get you a hotel
24 accommodation and they said, you have to come. You have to
25 come for sure. They invited me.

1 MR. HELMS: And you came?

2 THE DEFENDANT: Yes.

3 MR. HELMS: And Mr. Sama came?

4 THE DEFENDANT: Yes. He was there.

5 MR. HELMS: I'm sorry, your Honor. One moment.

6 THE COURT: All right.

7 MR. HELMS: So, Mr. Rampeesa, the purpose of your
8 trip, of your taking your trip to the university in January of
9 2019 was to meet with Mr. Sama and the university employees in
10 part to talk about recruiting students to the university?

11 THE DEFENDANT: Yes.

12 MR. HELMS: And, your Honor, could you take
13 judicial notice that the University of Farmington is within the
14 Eastern District of Michigan?

15 THE COURT: Yes. I will take judicial notice of
16 that. It's located in Oakland County on -- where was it? I
17 know it's in Oakland County somewhere, isn't it?

18 MS. CAL: Farmington Hills.

19 THE COURT: Farmington Hills. Yeah. Okay. All
20 right, then, I'll take judicial notice of that.

21 MS. CAL: Thank you.

22 THE COURT: Okay. All right. Are counsel, then,
23 satisfied with the factual basis for the plea?

24 MR. HELMS: Your Honor, may I ask one more
25 question?

1 THE COURT: Are you sure it's just one?

2 MR. HELMS: Yes.

3 THE COURT: Okay. Go ahead.

4 MR. HELMS: Mr. Rampeesa, did you work to recruit
5 students between the time frame of February 2017 and January
6 2019?

7 THE INTERPRETER: February?

8 MR. HELMS: February 2017 and January 2019?

9 THE DEFENDANT: Yes.

10 THE COURT: Okay.

11 MR. HELMS: Okay. That's it, your Honor.

12 THE COURT: All right. Ms. Cal, do you have
13 anything else?

14 MS. CAL: No, your Honor.

15 THE COURT: Okay. All right. Then are counsel
16 also satisfied that I've complied with Rule 11 in terms of
17 taking the plea?

18 MR. HELMS: Yes, your Honor.

19 MS. CAL: Defense is satisfied.

20 THE COURT: Okay. All right. Then, Mr. Rampeesa,
21 what's your plea, is it guilty or not guilty?

22 THE DEFENDANT: Guilty.

23 THE COURT: Okay. All right, then, I'm going to
24 find that Mr. Rampeesa is fully competent and capable of
25 entering an informed plea, that he's aware of the nature of the

1 charges and the consequences of the plea, and that the plea is
2 a knowing and voluntary plea supported --

3 MS. CAL: Excuse me, your Honor.

4 The interpreter said she can't take it down
5 that fast.

6 THE COURT: Oh, yeah. That's right. That's
7 right. I'm sorry. I was kind of rolling there.

8 Okay. You want me to start from the top, again?

9 THE INTERPRETER: Yes. Please.

10 THE COURT: Okay. I'm going to make the following
11 findings: That Mr. Rampeesa is competent and capable of
12 entering an informed plea; that he's aware of the nature of the
13 charges and the consequences of the plea, and that the plea is
14 a knowing plea and a voluntary plea supported by a factual
15 basis as to each of the elements of the offense.

16 THE DEFENDANT: Yes.

17 THE COURT: And I'm accepting the plea and finding
18 him guilty of the charge, and I'm referring the case to the
19 probation department for a presentence report.

20 And I'm schedule -- I'm sorry. Did you finish?

21 THE INTERPRETER: Okay.

22 THE COURT: All right. I'm scheduling the
23 sentencing for?

24 THE CASE MANAGER: September 17th, 2019 at 2:30.

25 THE DEFENDANT: Okay.

1 THE COURT: Okay. All right.

2 MS. CAL: Your Honor, I just have one matter for
3 the record.

4 THE COURT: Sure.

5 MS. CAL: Since he has a need for an interpreter,
6 usually the presentence report is done within 14 or 28 days.
7 I'm going to need an interpreter there to do the presentence
8 report and I know the interpreter, most jails are not going to
9 allow the interpreter in unless, and so I ask that the
10 sheriffs, Marshals bring him here so that he can be interviewed
11 in an office here because it's the only way we're going to be
12 able to get this done in a timely fashion.

13 THE COURT: Okay. I think they schedule the
14 interview within 14 days.

15 And so, I think they'll allow the interpreter into
16 the jail with an order, and we have some Marshals here so maybe
17 you can tell us what the best procedure is to get the --

18 THE US MARSHALL: Your Honor, you can contact our
19 supervisor deputy. This is -- I'm sorry, your Honor. A deputy
20 linked with Marshal services.

21 THE COURT: Okay.

22 THE US MARSHALL: Generally, they make contact
23 with us and we give the approval for them to come in. If they
24 contact, have any questions other than that, but there
25 shouldn't be a problem with them getting it.

1 THE COURT: Do you normally have the defendants
2 brought in here or do the --

3 THE US MARSHALL: We normally do not.

4 THE COURT: You don't. Okay. That's kind of what
5 I thought...

6 So, we'll just have the interpreter go out to the
7 jail. So --

8 MS. CAL: She says the agency gets called, that
9 she doesn't know who will be able to be going out there.

10 THE COURT: Okay. Well, someone will need to go
11 to the jail to do the interview.

12 THE INTERPRETER: The agency will notify whoever
13 the interpreter is available at that time.

14 THE COURT: Okay. Well, I'll have my case manager
15 contact the agency to make sure that someone is there on the
16 date that the interview is scheduled. Like I said, it will be
17 within two weeks, typically.

18 THE INTERPRETER: Yes, sir.

19 THE COURT: Okay. Anything else we need to take
20 up?

21 MR. HELMS: No, your Honor.

22 MS. CAL: No, your Honor.

23 THE COURT: Okay. Then, if there's nothing else,
24 we'll officially be in recess.

25 MS. CAL: Thank you, your Honor.

1 MR. HELMS: Thank you, your Honor.

2 (At 12:05 p.m. proceedings concluded)

3
4 C E R T I F I C A T E

5 I, Merilyn J. Jones, Official Court Reporter of the
6 United States District Court, Eastern District of Michigan,
7 appointed pursuant to the provisions of Title 28, United States
8 Code, Section 753, do hereby certify that the foregoing pages
9 1-32, inclusive, comprise a full, true and correct transcript
10 taken in the matter of the United States of America versus Prem
11 Kumar Rampeesa, 19-cr-20026 on Monday, June 3, 2019.

12
13
14 /s/Merilyn J. Jones
15 Merilyn J. Jones, CSR, RPR
16 Federal Official Reporter
231 W. Lafayette Boulevard
Detroit, Michigan 48226

17 Date: June 14, 2019
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